

Our Reference: GBN-110-C

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jennipher Grudzien et al.
Serial Number: 10/784,092
Filing Date: February 20, 2004
Examiner/Art Group Unit: Unknown/1744
Title: REACTION SURFACE ARRAY
DIAGNOSTIC APPARATUS

COMMUNICATION

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Entry of this Communication in response to the Office Action dated March 6, 2008 is respectfully requested.

In the Office Action, the Examiner has required restriction between Invention I defined in claims 1 – 20 and Invention II defined in claims 21 – 37.

Accordingly, Applicants elect Invention I defined in claims 1 – 20.

In addition, with respect to Invention I, the Examiner states that claim 14 is generic to the following species:

Species I (claims 15 – 19), drawn to a method of assembling an array device using clamps;

Species II (claim 20), drawn to a method of assembling an array device using adhesives. The Examiner has required election of one single disclosed species for prosecution.

Applicants elect Species I (defined in generic claim 14 and claims 15 – 19) with traverse. The traversal is based on an apparent misunderstanding of the function of the clamps and the adhesive. Claims 15 – 19 define the use of clamp members to perform the compressing step set forth in independent claim 13. This is described in paragraph 76 of the specification.

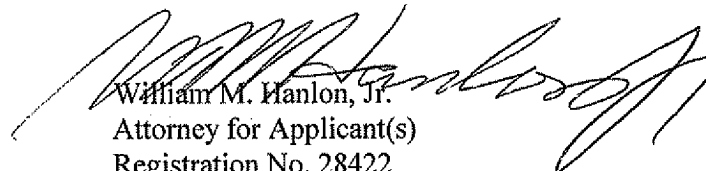
The adhesive disposed between the gasket and the plate as defined in claim 20 and in the

the specification paragraph 75 fixes the gasket to the plate. This is an additional element which does not serve the same function as the clamps set forth in claims 15 – 19, or form any part of the compressing step of base claim 13.

Therefore, for these reasons, it is respectfully submitted that the election between Species I and Species II defined by the Examiner is unwarranted and its withdrawal is respectfully requested.

Respectfully submitted,

YOUNG BASILE


William M. Hanlon, Jr.
Attorney for Applicant(s)
Registration No. 28422
(248) 649-3333

3001 West Big Beaver Rd., Suite 624
Troy, Michigan 48084-3107
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WMH/dge